

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

United States of America,

Plaintiff/Respondent,

v.

Case No. 12-20421

Marvin Hudgins,

Sean F. Cox

United States District Court Judge

Defendant/Movant.

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**ORDER ADOPTING**  
**5/31/16 REPORT AND RECOMMENDATION**

Acting *pro se*, Plaintiff/Respondent Marvin Hudgins (“Hudgins”) filed a Motion under § 2255 to Vacate, Set Aside, or Correct Sentence.

This Court referred the motion to Magistrate Judge David Grant for issuance of a report and recommendation, pursuant to 28 U.S.C. § 636(b)(1)(B). On May 31, 2016, Magistrate Judge Grant issued a “Report and Recommendation To Deny Defendant’s Motion Under § 2255 To Vacate, Set Aside, Or Correct Sentence” (Docket Entry No. 77) (“the R&R”), wherein he recommends that “Hudgins’ Motion Under § 2255 to Vacate, Set Aside, or Correct Sentence (Doc. #49) be DENIED, and that a certificate of appealability also be DENIED.” (R&R at 1-2).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R. The Court hereby ADOPTS the May 31, 2016 R&R.

IT IS FURTHER ORDERED that Hudgins's § 2255 Motion is DENIED and that the Court DECLINES to issue a certificate of appealability.

IT IS SO ORDERED.

S/Sean F. Cox  
Sean F. Cox  
United States District Judge

Dated: June 27, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 27, 2016, by electronic and/or ordinary mail.

S/Jennifer McCoy  
Case Manager